

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CYCLE-CRAFT CO., INC.

d/b/a BOSTON HARLEY-DAVIDSON/BUELL,

Plaintiff,

v.

HARLEY-DAVIDSON MOTOR COMPANY, INC.,

and BUELL DISTRIBUTION COMPANY, LLC,

Defendants.

Civil Action
No. 04 11402 NMG

CYCLE-CRAFT'S MOTION IN LIMINE NO. 3
RE: ADMISSIBILITY OF NON-RETAIL SALES POLICY

Cycle-Craft Co., Inc. d/b/a Boston Harley-Davidson/Buell ("Cycle-Craft"), by its counsel, hereby moves this Court for an order precluding the admission of Harley-Davidson Motor Company, Inc. ("Harley-Davidson")'s Non-Retail Sales Policy into evidence.

In support hereof, Cycle-Craft submits the accompanying Memorandum of Law in Support of Motion in Limine No. 3 Re: Admissibility of Non-Retail Sales Policy.

Respectfully submitted,

CYCLE-CRAFT CO., INC.

By its attorneys,

/s/ James C. Rehnquist
James C. Rehnquist (BBO# 552602)
Christopher C. Nee (BBO# 651472)
GOODWIN PROCTER LLP
Exchange Place
Boston, MA 02109
(617) 570-1000

April 28, 2006

LOCAL RULE 7.1A(2) CERTIFICATION AND CERTIFICATE OF SERVICE

I certify pursuant to Local Rule 7.1(A)(2) that the moving party attempted to confer in good faith with opposing counsel on the matter set forth herein and that opposing counsel has not granted its consent to this motion.

I further certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on April 28, 2006.

Dated: April 28, 2006

/s/ Christopher C. Nee